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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/085,258

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Andres M. Perez

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09/08/2005

LAHIVE & COCKFIELD, LLP.

28 STATE STREET

BOSTON, MA 02109

EXAMINER

BENGZON, GREG C

ART UNIT

PAPER NUMBER

2144

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/085,258

Applicant(s)

PEREZ, ANDRES M.

Examiner

Greg Bengzon

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This application has been examined. Claims 1- 28 are pending.

Priority

The effective date of the claims described in this application is February 26, 2002.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Hemphill et al. (US Patent 6167448), hereinafter referred to as Hemphill.

Hemphill disclosed Claim 1 - In an electronic device interfaced with a network, a method, comprising the steps of: executing a program on the electronic device; (Figure 2, Column 1 Lines 35-50, Column 4 Lines 5-30) and dynamically (Column 5 Lines 40-60) registering a plug-in application (Column 4 Lines 5-30, Column 5 Lines 55-60) with the program without ceasing the executing of the program, said plug-in application operating in conjunction with the program to provide enhanced functionality for the program. (Column 4 Lines 5-30)

Hemphill disclosed Claim 2 - The method of claim 1, wherein the step of dynamically registering comprises: providing a registration descriptor (Figure 3, Column 10 Lines 1-25) holding information regarding the plug-in application; and processing the registration descriptor to complete the registering of the plug-in application. (Column 13 Lines 40-60)

Hemphill disclosed Claim 3 - The method of claim 2, wherein the registration descriptor is a file. (Column 10 Lines 1-15, Column 14 Lines 35-40)

Hemphill disclosed Claim 4 - The method of claim 2, wherein the step of dynamically registering further comprises: storing the registration descriptor at a designated location to indicate that the registration descriptor is to be processed. (Column 8 Lines 35-30, Column 10 Lines 1-25, Column 11 Lines 30-35)

Hemphill disclosed Claim 5 - The method of claim 4, wherein the electronic device has access to a directory structure containing sub-directories and wherein the designated location is in a selected one of the sub-directories. (Column 8 Lines 30-40, Column 13 Lines 1-35)

Hemphill disclosed Claim 6 - The method of claim 1, wherein the electronic device is a computer system. (Column 4 Lines 5-30)

Hemphill disclosed Claim 7 - The method of claim 1, wherein the electronic device is a web server. (Column 4 Lines 5-30)

Hemphill disclosed Claim 8 - The method of claim 1, wherein the program has a client that interacts with the program via a web browser. (Column 4 Lines 65-68)

Hemphill disclosed Claim 9 - The method of claim 1 further comprising the step of statically registering additional plug-in applications the program upon initialization of the program. (Column 5 Lines 40-60, Column 6 Lines 5-15)

Hemphill disclosed Claim 10 - The method of claim 1, wherein the plug-in application provides dynamic web content. (Column 5 Lines 1-15)

Art Unit: 2144

Hemphill disclosed Claim 11 - In a server, a method, of comprising the steps of: providing information regarding an application at a specified storage location; (Figure 2, Figure 3, Column 10 Lines 1-25) and in response to the information being at the specified storage location, registering the application for use in conjunction with a program on the server to provide additional functionality for the program. (Column 4 Lines 5-30)

Hemphill disclosed Claim 12 - The method of claim 11, wherein the step of registering the application includes processing the information regarding the application to perform the registering. (Column 13 Lines 40-60)

Hemphill disclosed Claim 13 - The method of claim 11, wherein the information regarding the application is encapsulated in a file. (Column 10 Lines 1-25, Column 14 Lines 35-40)

Hemphill disclosed Claim 14 - The method of claim 13, wherein the file is an extensible mark-up language (XML) file. (Column 9 Lines 10-25)

Hemphill disclosed Claim 15 - The method of claim 11, wherein a client accesses the server via a web browser to interact with the program. (Column 4 Lines 65-68)

Hemphill disclosed Claim 16 - The method of claim 11, wherein other applications are registered with the program. (Column 5 Lines 40-60, Column 6 Lines 5-15)

Hemphill disclosed Claim 17 - The method of claim 11, wherein the program is initialized to prepare the program for execution and wherein the registering is performed dynamically during execution of the program after the program has been initialized. (Column 5 Lines 40-60, Column 6 Lines 5-15)

Hemphill disclosed Claim 18 - The method of claim 11, wherein the program is initialized to prepare the program for execution and wherein the registering is performed during initialization of the program. (Column 5 Lines 40-60, Column 6 Lines 5-15)

Hemphill disclosed Claim 19 - In a distributed environment having a server and clients that access the server, a method, comprising the steps of: providing a management software package on the server for managing items in the distributed environment; (Figure 2, Column 1 Lines 35-50) providing a location wherein add-on programs may deposit information regarding the add-on programs to register with the management software package, (Figure 3, Column 10 Lines 1-25, Column 14 Lines 30-

35) said add-on programs enhancing functionality of the management software package (Column 4 Lines 5-30); and processing the information at the location to register add-on programs that have deposited information at the location with the management software package so that the add-on programs that are registered may be executed in conjunction with the management software package. (Column 13 Lines 40-60)

Hemphill disclosed Claim 20 - A medium for use in an electronic device that is interfaced with a network, wherein a program is executing on the electronic device, said medium holding instructions for dynamically registering (Column 5 Lines 40-60, Column 6 Lines 5-15) a plug-in application with the program without ceasing the executing of the program, said plug-in application operating in conjunction with the program to provide enhanced functionality for the program. (Figure 2, Column 4 Lines 5-30)

Hemphill disclosed Claim 21 - The medium of claim 20, wherein the dynamic registering comprises providing a registration descriptor holding information regarding the plug-in application; and processing the registration descriptor to complete the registering of the plug-in application. (Figure 3, Column 10 Lines 1-25, Column 13 Lines 40-60)

Hemphill disclosed Claim 22 - The medium of claim 21, wherein the registration description is a file. (Column 10 Lines 1-25, Column 14 Lines 35-40)

Hemphill disclosed Claim 23 - The medium of claim 20, wherein the program has a client that interacts with the program via a web browser. (Column 4 Lines 65-68)

Hemphill disclosed Claim 24 - The medium of claim 20, wherein the method further comprises statically registering additional plug-in applications the program upon initialization of the program. (Column 5 Lines 40-60, Column 6 Lines 5-15)

Hemphill disclosed Claim 25 - The medium of claim 20, wherein the plug-in application provides dynamic web content. (Column 5 Lines 1-15)

Hemphill disclosed Claim 26 - A medium for use in a server where information regarding an application is provided at a specified storage location that is accessible by the server, (Figure 2, Column 4 Lines 5-30) said medium holding instructions for registering the application for use in conjunction with the program on the server to provide additional functionality for the program in response to information being at the specified storage location.

Hemphill disclosed Claim 27 - The medium of claim 26, wherein the program is initialized to prepare the program for execution and wherein the registering is performed dynamically during execution of the program after the program has been initialized. (Column 5 Lines 40-60, Column 6 Lines 5-15)

Hemphill disclosed Claim 28 - The medium of claim 26, wherein the program is initialized to prepare the program for execution and wherein the registering is performed during initialization of the program. (Column 5 Lines 40-60, Column 6 Lines 5-15)

Response to Arguments

Applicant's arguments filed 07/25/2005 have been fully considered but they are not persuasive.

The Applicant presents the following argument(s) [in italics]:

Hemphill is silent as to how the plug-in modules are loaded by the management server. That is to say that that Hemphill does not disclose, teach or suggest dynamically registering a plug-in application without ceasing the execution of the program, as set forth in the applicant's claimed invention.

The Examiner respectfully disagrees with the Applicant. The Examiner notes that plug-ins are software components that extend the functionality of a browser. Plug-ins are typically implemented as dynamically linked libraries (DLLs). DLLs are well-known but are described here briefly for completeness. A DLL is a library which is linked

dynamically, i.e., at run-time. A library is a collection of computer instruction modules which can be invoked by computer instruction modules of another computer program. The inclusion of computer instruction modules of a library into a computer program is generally accomplished in a well-known mechanism called linking in which references to the computer instruction modules of the library are resolved into address offsets within the computer program. Computer instruction modules of a DLL are linked at run-time.

While Hemphill mentions 'plug-in' modules with reference to the SNMP converter and DMI converter, the Examiner notes that the HMMO (Hyper-Media Managed Objects) must also be considered plug-ins, as said HMMOs are self-describing web agents that convert management data into a form that may be browsed using Internet technology. (Hemphill – Column 3 Lines 30-35). The HMMO renders information for viewing by the web-based browser (Hemphill – Column 5 Lines 5-10), thus said HMMO must be considered a plug-in module.

The Examiner notes that in the Applicant's invention, '*The registration service 24 is responsible for registering plug-in applications 26 with the management console 22.*' (Applicant Specifications Page 6) In Column 4 Lines 5-10 Hemphill describes performing discovery and registration for plug-in modules. Since management server is independently discovering and registering the plug-in applications, (Hemphill - Column 4 Lines 35-40, Column 5 Lines 40-41, Lines 50-60, Column 6 Lines 5-10), the

Art Unit: 2144

Examiner concludes that the registration of the plug-in applications occur without ceasing the execution of the browser (i.e. web-based console). Thus the Examiner concludes that Hemphill disclosed dynamically registering a plug-in application without ceasing the execution of the program, as set forth in the applicant's claimed invention.

The Applicant presents the following argument(s) [in italics]:

Hemphill does not describe how the plug-in modules are added to the functionality of the management server. Although Hemphill does describe using a location pointer to locate further information about an event that was detected; however, that is not the same as providing information regarding an application at a location and then registering the application to extend the functionality of a program as claimed by the applicant.

The event is a notification message that may sent from a managed device to the management server, for network events that may need be reported on the web-based console. Hemphill disclosed wherein the plug-in modules are extending the functionality of the client browser (Hemphill - Column 3 Lines 55) which replaces the management console. In Column 10 Lines 15-20 Hemphill disclosed including executable code information for execution of the management server, said executable code enhancing the browsing capabilities of the browser. The Examiner notes that said executable code information may include the actual executable code, or point to a location for the said code, or include other required information for rendering the event information on the web-based console. Thus Hemphill disclosed using a location pointer for providing

information regarding an application at a location, for the specific purpose of extending the browsing capability of the web-based browser.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to the enclosed PTO-892 form.

US 5903728 A Semenzato; Luigi - disclosed invoking a plug-in controller using a plug-in invocation mechanism; and invoking the plug-in body as a separate computer process.

US 6085030 A Whitehead; W. Robert et al. - the component registry of the component server node responds to a consumer application request by locating a heterogeneous component for the consumer.

US 6460089 B1 Romano; Anthony C. et al. - extending the functionality of a management console uses a data object as a carrier to pass context information of an extended snap-in of the management console to an extension snap-in to enable the extension snap-in to provide extension functionality. The extension snap-in is registered with an information store as an extension of the extended snap-in.

US 6802061 B1 Parthasarathy; Srivatsan et al. - method and system for automatically locating, downloading, verifying, registering, installing and displaying a software component from a remote computer is provided.

US 6717593 B1 Jennings; Terry D. - parses the description documents of an interface into elements and reflects them in the object model to form an instance representing the interface, downloads the objects corresponding to the reflected elements registers their interfaces in the object model instance to make them accessible by the elements, and invokes execution of each downloaded object with the corresponding element to render the element.

US 6915519 B2 Williamson; Leigh Allen et al. - provides a system and method for an application server to support the use of any JMS resources in a "pluggable" manner

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2144

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Bengzon whose telephone number is (571) 272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571)272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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